

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ANDREW LUCAS,	:	
	:	Civil No. 18-17240 (FLW)
Petitioner,	:	
	:	
v.	:	MEMORANDUM AND ORDER
	:	
UNITED STATES OF AMERICA,	:	
	:	
Respondent.	:	
	:	

Petitioner *pro se*, Andrew Lucas (“Petitioner”), a federal prisoner presently incarcerated at F.C.I. Morgantown, in Morgantown, West Virginia, filed a Motion to Vacate, Set Aside, or Correct a Sentence, pursuant to 28 U.S.C. § 2255. (*See* ECF No. 1.) As the original Motion was not on the prescribed form, as required for *pro se* petitioners under Local Civil Rule 81.2(a), the Court administratively terminated the proceeding and permitted Petitioner 45 days to submit a proper § 2255 Motion. (ECF No. 2.) Petitioner has now filed a motion on the required form. (ECF No. 3.) Upon screening the Motion, the Court has determined that dismissal of the Motion without an Answer and the record is not warranted. *See* Rule 4 of Rules Governing § 2255 Proceedings, 28 U.S.C.A. foll. § 2255.

Accordingly, IT IS, on this 12th day of April 2019,

ORDERED that Respondent shall file a full and complete Answer to the Motion within forty-five (45) days of the entry of this Order; and it is further

ORDERED that Respondent shall raise by way of its Answer any appropriate defenses that it wishes the Court to consider, including, with respect to the asserted defenses, relevant legal arguments with citations to appropriate legal authority; and it is further

ORDERED that the Answer shall be accompanied by certified copies of all notices, opinions, documents, transcripts, or recordings of any proceedings, including all documentation that may be material to the questions raised in the Motion; in lieu of providing certified copies, however, the Government may cite to the criminal docket by referencing the ECF docket entry number and the page; and it is further

ORDERED that Petitioner may file and serve a Reply in support of the Motion within forty-five (45) days after the Answer is filed; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order on petitioner by regular U.S. mail.

/s/ Freda L. Wolfson
FREDA L. WOLFSON
United States District Judge